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OGC HAS REVIEWED.

25 June 1953

Deputy Comptroller

Office of General Counsel

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Claim of [REDACTED]

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1. You have requested our review of the attached file concerning the claim of [REDACTED] for per diem (\$750.00) for the period 31 October 1951 to 3 February 1952, and reimbursement for storage of personal effects in Washington, D. C. (\$99.53) from 5 July 1951 to 4 December 1951. We have also examined [REDACTED] personnel folder in an attempt to resolve some of the patent conflicts revealed in the file.

2. Memoranda contained in the personnel folder and not contained in the claim file, do not clarify the situation. In effect, they deny the major basis presented for approval of the claim for per diem which was stated as follows:

"During the period from 31 October 1951 to 3 March 1952 subject was officially assigned to [REDACTED] but was working on various assignments for [REDACTED] in Washington Headquarters." Paragraph 4, Tab A.

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Under date of 2 November 1951, memorandum to Personnel Division (Covert) from PT/PE/OPC states:

"....She is now temporarily working in PY Division in the mail room....

"....She will be utilized in this temporary position for a limited period while efforts are being made to locate an assignment for her."

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3. The fact situation developed by the file indicates that Mrs. [REDACTED] reported to this headquarters for TDY upon return from overseas duty and prior to continuing on home leave in California. This TDY was utilized for the purpose of shopping around for a new position. Upon completion of home leave in California she reported to [REDACTED] on verbal instructions, with the understanding that orders were being issued transferring her from Headquarters Washington to [REDACTED]. Orders officially assigning her to [REDACTED] were not issued during her period of service at [REDACTED] due to an absence of a TD slot in her grade. Internal administration at [REDACTED] determined her return to Washington for reassignment, on 31 October 1951. After her return to headquarters, orders were issued assigning her to [REDACTED] effective

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the date she originally reported for duty, 1 August 1951. In the absence of orders while working at [REDACTED] was forced to leave her goods in storage in Washington.

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4. With respect to the storage of goods, the orders and memoranda presently contained in the files indicate:

a. Arrival and storage of personal effects in Washington, D. C. on 5 July 1951, in accordance with travel orders for permanent change of station from [REDACTED] to Washington, D. C.;

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b. Effective 1 August 1951, permanent change of station assignment from Washington, D. C. to [REDACTED]

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c. Return of [REDACTED] to Washington on 31 October 1951 for reassignment from [REDACTED]

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d. Removal of the goods from storage on 4 December 1951; and

e. Assignment to FE on 4 March 1952.

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5. With respect to persons assigned overseas, Agency Regulation [REDACTED] provides in effect for the payment of the cost of storage of household goods and personal effects on first arrival at a post for a period not in excess of three months after such first arrival. With respect to transfer of employees between points within the continental United States, Section 12(b) of Executive Order No. 9805, as amended by Executive Order No. 9933, dated 28 February 1948, authorizes the payment of actual expenses for temporary storage of household goods and personal effects at not to exceed the commuted rate of \$1.60 per cwt. for the first 30 days of storage, plus 40 cents per cwt. for the next 30 days. In accordance with these authorities this office will interpose no objection to the payment of storage:

a. During the period 5 July 1951 through 31 July 1951 at the rate indicated by receipted warehouse bill;

b. During the period 1 August 1951 through 30 October 1951 at the commuted rate of \$1.60 per cwt. for the first 30 days of storage plus 40 cents per cwt. for the next 30 days. (See Decision of the Comptroller General No. B-114012 dated 21 April 1953); and

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c. Subject to the issuance of orders confirming the transfer from [REDACTED] to Washington, D. C. on 31 October 1951, during the period 31 October 1951 through 4 December 1951 at the rate indicated in b. above.

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6. As is indicated by the foregoing, it is the opinion of this office that (a) the recommended claim for per diem during the period 31 October 1951 through 3 February 1952 is not proper for approval, and (b) the claim for reimbursement for storage is proper for approval in accordance with paragraph 5 above.

7. It is the recommendation of this office that the subject file be forwarded to the Chief of Administration, Office of Deputy Director/Plans for such action as he may deem necessary with respect to the remaining considerations set forth in paragraph 3 of your proposed memorandum.

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Attachment

OGC/JGO;apf:imm

Distribution -

Orig - Addressee
4 - OGC
1 - Signer

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MISSING PAGE

ORIGINAL DOCUMENT MISSING PAGE(S):

Attachment